

Ownership is Transfer - Infinite Judgement or Syllogism -

Kazuyuki Ikko Takahashi, Meiji University, Japan

Abstract: Hegel, in his work *Philosophy of Right*, defines ownership through three elements: acquisition by occupation, use, and transfer. To own something involves mere acquisition and encompasses its appropriate use and potential transfer to others. Subsequently, the final aspect mentioned was the concept of infinite judgement. The acts of owning and transferring to others are diametrically opposed, and Hegel's unique logic forcibly connects these opposing concepts.

This form of infinite judgement was advocated by the young Hegel during the era of *Phenomenology of Spirit*. There, he stated, "Spirit is a bone". However, when he later wrote *Science of Logic* or *Encyclopedia*, the formulation of infinite judgement changed to "Spirit is not something that is bone". This shift was influenced by Kant. In *Logic*, the discourse advances into syllogism, inferential theory, leading to "Spirit is a bone for such-and-such reasons". In essence, Hegel binarily connected spirit and bone in his youth and introduced a mediating term in this connection later in his life, establishing inferential links. However, the notion of forcibly connecting opposing concepts remains.

Therefore, the statement "Ownership is transfer" represents an infinite judgement while simultaneously signifying syllogism that "I truly own this object if I can transfer it to others". This contributes to the reasoning that "I and objects can be connected through the intermediary of others", progressing to the inference that "I and others can be connected through objects", thereby laying the foundation for society.

1. Three definitions of property

Hegel, in his *Philosophy of Right*, proposed that property is alienation, which is infinite judgement. More precisely, he mentioned three definitions of property. More precise determinations of property are found in the will's relationship to the thing. This relationship is (a) in an immediate sense taking possession, in so far as the will has its existence in the thing as something positive; (b) in so far as the thing is negative in relation to the will, the will has its existence in it as in something to be negated – use; (c) the reflection of the will from the thing back into itself – alienation; - positive, negative, and infinite judgements of the will upon the thing (Hegel 1970a: section 53).

The use of the body to acquire property, the shaping of the property, and the signing of the property are the ways in which property is acquired. This is an affirmative judgement. Additionally, using it is owning the property. This is a negative judgement. Furthermore, transferring the property to another person (exchange, buying and selling, and presentation) is proof of owning the property. This is infinite judgement. Hegel suggested that the mechanism of property depends on the theory of judgement.

However, there is confusion in coming up with infinite judgement. It is a method of *Science of Logic* or *Encyclopedia* to discuss positive, negative, and infinite judgement side by side (Here the first part of *Encyclopedia* is *Logic*, which is a concise version of *Science of Logic*). However, the infinite judgement of the property is not that of *Logic*. The infinite judgement of *Phenomenology of Spirit* is mixed up here. This study aimed to show that this confusion was deliberate on Hegel's part and that the infinite judgement of *Logic* and *Phenomenology of Spirit* is, despite superficial differences, the same in conception.

In Hegel's *Encyclopedia*, he mentioned the following (Hegel 1970b: sections 172–173):

A positive judgement: the individual is a particular (The rose is red).

A negative judgement: the individual is not a particular (The rose is not red).

A positive infinite judgement: the identical judgement (The rose is a rose).

A negative infinite judgement: the spirit is no elephant (A lion is no elephant).

The last judgement was derived from Kant. However, it is not the type of judgement mentioned above: "Ownership is transfer". It should be "the spirit is an elephant", which is not Kant's type of infinite judgement: "The soul is no mortal". It is neither that of Hegel's Logic: "The spirit is no elephant". It is that of Hegel's Phenomenology of Spirit: "The spirit is a bone" or "The spirit is an elephant".

Consequently, the following conclusion can be drawn:

The positive judgement of property: I am the owner of the thing because I have taken possession of it through physical seizure, giving form, and designation.

The negative judgement of property: I am not the owner of the thing because I used it.

The infinite judgement of property: I am the owner of the thing because I have alienated it to others, or my ownership of the thing is justified because I can abandon it, or the alienation of property is the property itself. The truth of property lies in alienation.

The second judgement is more important than the first one and the third one is the most crucial. This is the fundamental idea of Hegel's logic. This discrepancy between having and alienation is absolute. This type of infinite judgement presents the total compatibility of subject and predicate. This relation is the qualitative antagonism of related things; their total incongruity.

2. Three types of infinite judgement

First, this study examined the infinite judgement of Kant, explained in the transcendental analytics of Critic of Pure Reason. Kantian mode of judgement is as follows:

A positive judgement: the soul is mortal.

A negative judgement: the soul is not mortal.

An infinite judgement: the soul is no-mortal(Kant 1974: 112-113).

In this type of infinite judgement, there are two worlds, which are completely different from each other; mortal and no-mortal, or the finite world and the infinite

world.

This type of infinite judgement is the same as the negative infinite judgement of Hegel's logic. Hegel was faithful to Kant; however, Hegel mentioned another type of infinite judgement in *Phenomenology of Spirit*: "Spirit is a bone" (Hegel 1976: 260). Žižek explained the above-mentioned as follows:

Following the first positive judgement ("the rose is red") and the second form of the negative judgement ("the rose is not red"), the third form of the judgement, the infinite judgement, redoubles the negation at work in the negative judgement or rather brings it to its self-reference; it negates not only some (particular) predicate but the universal domain itself which was present in the negation of the particular predicate.

Consequently, the infinite judgement is senseless in its form: a (particular) predicate is negated, whose (universal) genus itself is incompatible with the subject – resulting in empty-wisdom sentences such as "The rose is not an elephant", "The spirit is not red", and "Reason is not a table". These judgements are, as Hegel stated, accurate or true but "senseless and tasteless" (Žižek 1991: 118).

The positive form of the infinite judgement – precisely because it negates not only the particular predicate but the genus itself in which the predicate could meet with the subject – is no longer a particular judgement implied by the negation: from "The rose is not red" it follows that the rose is some other colour; yet from "The rose is not an elephant" follows no positive particular determination. Therefore, the positive opposite pole of the infinite judgement can only be a tautology: from "The rose is not an elephant" follows only that "The rose is a rose". The tautology expresses, in the positive form, only radical externality to the subject of the predicate (ibid.).

What remains enigmatic here is only that Hegel, next to "tasteless" negation and tautology, does not mention the third form of the infinite judgement, the apparently "senseless" affirmative form ("The rose is an elephant"). This is not a kind of empty possibility, since such a form of the infinite judgement bears the speculative content of the dialectic of phrenology in the *Phenomenology of Spirit*: "The Spirit is a bone". It is only this judgement that fully expresses the speculative lack of identity by means of affirming the impossible identity of two mutually exclusive moments: this judgement is

- if read immediately - experienced as patently absurd. The discrepancy between the moments is absolute; however, the “Spirit” as a power of absolute negativity is none other than this absolute discrepancy (ibid.: 119).

Subsequently, the point is reached.

Therefore, infinite judgement is internally ramified into the triad “The rose is not an elephant”, “The rose is a rose”, and “The rose is an elephant”. The speculative truth of this last form was demonstrated by Lacan when, in his first Seminar, he evoked a similar paradox (“The word is an elephant”) to exemplify the dialectical-negative relationship between word and thing (ibid.).

3. Infinite judgements and syllogism

Žižek referred to two infinite judgements in *Logic* and that of *Phenomenology*, in which the last one is the most important. Žižek arrived at the conclusion using Lacan’s paradox; however, this study reached the same conclusion through the arguments of Herman Schmitz. Here, this study would like to refer to the article, “The infinite judgement and the syllogism as principle of Hegel’s dialectic”.

Hegel developed, adhering externally to Kant’s example, the infinite judgement following the simple negative, interpreting it as its intensification: “An infinite judgement is one in which not only the determinateness of the predicate but also the general sphere is negated”... In the simple negative judgement, “the relation of the subject to the predicate still remains, which thereby is relative generality, the determinateness of which has only been negated (the rose is not red implies that it still has a colour, ...)” (Hegel 1970b: section 173). However, the full sense of negation is not yet exhausted; consequently, it pushes further towards the existing complete inadequacy of the subject and predicate – the so-called infinite judgement (Schmitz 1957: 104).

Up until now, infinite judgement has only received the sense of absolute negation without any positive meaning; however, Hegel’s interpretation in his *Encyclopedia* took it further: it expressed the “nature of being or of sensory things ... namely ... a fulfilled relation, which, however, is the qualitative otherness of the related, their complete inadequacy” (ibid.). Therefore, the infinite judgement denotes an actual, positive process that compels completely inadequate elements together across the chasm of

their differences – since a common sphere of subject and predicate is united in the infinite judgement (ibid.: 105).

According to Hegel's thinking, a special case is presented in that infinite judgement represents a double negation - the negation and overcoming of the simple negative - which does not return to affirmation. However, it is otherwise an axiom of his dialectics that double negation results in affirmation (ibid.).

It proves to be the logical form of a process that connects two terms beyond qualitative otherness and complete inadequacy (ibid.: 108).

Here we can get; "The Spirit is a bone" in *Phenomenology of Spirit*.

The infinite judgement was encountered in Hegel's work as the unmediated union of opposites (ibid.: 115).

The essence of infinity is nothing other than being the unmediated opposite of itself. Infinity means, in itself, the opposite of itself (ibid.: 116).

Thus, it can be assumed that Hegel's doctrine of infinite judgement was influenced by his earlier, decidedly negative concept of infinity (ibid.: 117).

Now I should mention that Hegel's work delineates two tendencies: infinite judgements and syllogism.

Presumably, during Hegel's early years in Jena, two logical tendencies were struggling against each other: one, which later prevailed, drove him towards syllogism and mediation, and, consequently, towards reconciliation and persistence; the other, found truth in the unmediated clash of opposites, in the infinite judgement, in the leap (ibid.: 121-122).

It can be observed that Hegel endeavoured to unite infinite judgement with syllogism (ibid.: 144).

In *Phenomenology*, there is a kind of division of labour between infinite judgement and syllogism: infinite judgement, as the unmediated union of the opposites, spirit and thing, or self and being, initiates the leap to an intensified self-certainty, the appropriation and elaboration of which are mostly left to the mediating function of syllogism. From the infinite judgement, the path leads over to mediating syllogism

(ibid.: 145-146).

Therefore, Hegel later, in Logic, combined subject with predicate through syllogism. In infinite judgement, “the individual is a universe”, the mediating mean can be inserted between the subject and predicate. In rational syllogism, the subject is by means of mediation coupled with itself (Hegel 1970b: section 182). Thus, a syllogism can be obtained: “The Spirit is a bone because the spirit has something material, etc.”. To keep everything in order. In short, Kant divided two worlds, and Hegel combined them.

The spirit is no bone. Kantian judgement or that of Hegel’s Logic.

The spirit is a bone. Judgement of Hegel’s Phenomenology of Spirit.

The spirit is a bone because the spirit has something material, etc. Hegel’s syllogism. Property is not explained through the infinite judgements of Logic but can be explained through Phenomenology of Spirit. There, Hegel stated, “Spirit is a bone”. However, when he later wrote Logic, the formulation of infinite judgement changed to “Spirit is not something that is a bone”. In Logic, the discourse advances into syllogism, inferential theory, leading to “Spirit is a bone for such-and-such reasons”. In essence, Hegel binarily connected spirit and bone in his youth and introduced a mediating term in this connection later in his life, establishing inferential links. However, the notion of forcibly connecting opposing concepts remains. Therefore, the statement “Ownership is transfer” represents an infinite judgement while simultaneously signifying syllogism that “I truly own this object if I can transfer it to others”. This contributes to the reasoning that “I and objects can be connected through the intermediary of others”, progressing to the inference that “I and others can be connected through objects”, thereby laying the foundation for society.

4. Triad of positive, negative, and infinite judgement

In Hegel’s theory of property, the three stages of property - acquisition of possession, use, and transfer - correspond to positive, negative, and infinite judgements, respectively, thus taking a triad form. What is acquired is used and negated. Furthermore, what has been acquired is transferred to another person and ceases to be one’s property. This states that the infinite judgement is an intensification

of the negativity of the negative judgement. The present study argues for the advantages of taking this triad form. The triad takes the form of a definite, anti-definite, and synthesis, which is a logical structure of affirmation, negation, and negation of negation; however, the negation of the negation does not become an affirmation. It becomes a thoroughgoing negation, but an affirmation in the sense that it still keeps the possession alive in the other. The last stage is an infinite judgement, which is, in actual fact, a syllogism.

Possession is not established from the beginning. Individuals may just think they own it. To say that use and transfer are possession is to say that one does not own anything from the beginning, or that possession is such a transient thing. Individuals possess things for a short time; however, they immediately use them or transfer them. Establishment is immediately negated. This negative action is called possession. The transience of this negative action creates society.

Taking something into yourself; taking into oneself what is outside oneself. This action may seem to be the root of Hegelian logic. However, this is not the case, the root of Hegelian logic is negativity, and in this case, it is important to use what you own. What is not used must not be possessed. Proper use is the significance of possession.

Further enforcing this negativity is the infinite judgement: what is owned must be transferred, sold, or exchanged with others. Owning a property is not owning it. The significance of ownership lies in creating relationships with others through it.

In *Philosophy of Right*, Hegel argued just like this. This book begins with a discussion of the concept of free will and argues that free will can only realize itself in the complicated social context of property rights and relations, contracts, moral commitments, family life, civil society (the economy), and the state (the legal system, the polity). An individual is free because they are a participant in all of these different aspects of the life of the state.

From this, the following famous sentences were derived:

The monarch may be ill-educated or unworthy of holding the highest office In a fully organized state, it is only a question of the highest instance of formal decision,

and all that is required in a monarch is someone to say 'yes' and to dot the 'i'.... In a well-ordered monarchy, the objective aspect is solely the concern of the law, to which the monarch merely has to add his subjective 'I will' (Hegel 1970a: supplement of section 280).

The phrase "the monarchy may be an idiot" is an infinite judgement, according to Žižek.

The constitutional monarchy is a rationally articulated organic whole at the head of which there is an 'irrational' element, the person of the King (Žižek 1991: 82).

We should ... reduce him (the monarch) to an agency of purely formal decision whereby it does not matter if he is effectively an idiot (ibid.: 84).

Hegel's Philosophy of Right begins with an infinite judgement of property and ends with an infinite judgement of idiot monarchy.

5. The significance of triad

In this infinite judgement of ownership theory, it is not really to say that if you transfer the property, you do not own it, but rather that it is what it means to own it. At this stage, owning and not owning are compatible. In this case, I and the property are connected through the other, and I and the other are connected through the property. Regarding Hegel, a deductive union was already presupposed there.

Subsequently, this study would like to submit another example of a triad of judgements. Žižek proposed three types of property First as Tragedy, Then as Farce. As Michael Hardt stated, if capitalism stands for private property and socialism for state property, communism stands for the overcoming of property as such in the commons.

Socialism is what Marx called "vulgar communism", in which can be obtained what Hegel would have called the abstract negation of property, that is, the negation of property within the field of property – it is "universalised private property" (Žižek 2009: 95).

These sentences can be summarized as follows:

A positive judgement: in capitalism, property is private property.

A negative judgement: in socialism, property is state property.

An infinite judgement: in communism, property is the overcoming of property in the commons.

In a capitalist society, one owns property privately, which is a positive judgement.

In socialist societies, the state owns every means of production; one cannot own property privately, which is a negative judgement. In a communist society, one owns property privately and shares it with others, which is the commons. Ownership is inherently exclusive. Therefore, private ownership and sharing are incompatible. However, private ownership and sharing are simultaneously established here. Thus, it goes beyond the concept of ownership, which is infinite judgement.

For example, a computer that one can buy for 100,000 yen now costs 1 million yen 40 years ago. If one pays 100,000 yen for a computer, it is the individual's; however, behind it lies commons of 900,000 yen. Private ownership and commons are tied together in one computer. If the commons' part increases, post-capitalist society comes into view.

In a thing two opposite parts are tied together and a person and a thing are combined through a thing, and more than two individuals are living together in a society through ownership. An infinite judgement and syllogism explain those systems of our lives. The two opposites are forced to combine themselves. It is an infinite judgement; however, Hegel insisted it as rational Syllogism.

The two opposites are forced to combine themselves in Hegel's system. This forcefulness is characteristic of his logic. Thus, there are many splits in his system. In *The Sublime Object of Ideology*, Žižek argued as follows:

Far from being a story of its progressing overcoming, dialectics is for Hegel a systematic notation of the failure of all such attempts (Žižek 1989: 6)... What we find in Hegel is the strongest affirmation yet of difference and contingency (ibid.: 7). However, nature, society, and spirit are nothing but systems like those described by Hegel.

Bibliography

- Hegel, G.W.F. (1976), Phänomenologie des Geistes, G.W.F.Hegel Werke in zwanzig Bänden 3, Suhrkamp Verlag.
- Hegel, G.W.F. (1969), Wissenschaft der Logik II, G.W.F.Hegel Werke in zwanzig Bänden 6, Suhrkamp Verlag.
- Hegel, G.W.F. (1970a), Grundlinien der Philosophie des Rechts, G.W.F.Hegel Werke in zwanzig Bänden 7, Suhrkamp Verlag.
- Hegel, G.W.F. (1970b), Enzyklopädie der philosophischen Wissenschaften I, G.W.F.Hegel Werke in zwanzig Bänden 8, Suhrkamp Verlag.
- Kant, I. (1974), Kritik der reinen Vernunft 1, Imanuel Kant Werkausgabe III, Suhrkamp.
- Lacan, J. (1975), LES ÉCRITS TECHNIQUES DE FREUD Le Séminaire de Jacques Lacan I, Éditions du Seuil.
- Schmitz, H. (1957), Hegel als Denker der Individualität, Verlag Anton Hain KG..
- Žižek, S. (1989), The Sublime Object of Ideology, Verso.
- Žižek, S. (1991), For They know not what They do - Enjoyment as a Political Factor -, Verso.
- Žižek, S. (2009), First as Tragedy, Then as Farce, Verso.